

AMENDED

No 44406

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office SEP--8-1981 New Priority Date APR 11, 1988

Returned to applicant for correction

Corrected application filed MAR 24 1982

Map filed MAR 24 1982 under 44405

The applicant Wendover Land Company, a partnership

P.O. Box 2410

of Carson City

Street and No. or P.O. Box No.

City or Town

Nevada 89701

State and Zip Code No.

hereby make^S application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Robert G. Berry, Peter D. Laxalt and Richard A. McDougal

1. The source of the proposed appropriation is underground
Name of stream, lake or other source.

2. The amount of water applied for is 4.0 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet acre-feet

3. The water to be used for quasi-municipal and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: Within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, T.33N., R.70E., M.D.B.&M., at a point from which the NE corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, Section 18 bears N. 8 $^{\circ}$ 6' 00" east, a distance of 4,665.00 feet.
it should be stated.

6. Place of use Within the SW $\frac{1}{4}$, Section 7; all of Section 18; NW $\frac{1}{4}$ and a portion of the
Describe by legal subdivision, if on unsurveyed land it should be so stated.
NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 17; a portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 16, and
a portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 16; and within a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 9, all within T.33N., R.70E., M.D.B.&M.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, submergible pump, electric motor, distribution system and storage reservoirs.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$50,000
10. Estimated time required to construct works.....six years
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use.....ten years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
- A Master Plan adopted by Elko County Commissioners will be supplied. The Master Plan will indicate the number and type of units approved.

By s/Ross E. de Lipkau
Signature, applicant or agent
P.O. Box 2790, Reno, Nevada 89505

Compared bc/ ja br/bc

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

The total combined duty of water under this permit and Permit 44405 shall not exceed 1092.0 million gallons annually.

CANCELLED JAN 17 1992 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Michael J. Murphy P.E.
STATE ENGINEER

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.0 cubic feet per second, but not to exceed 943.6 million gallons annually.

Actual construction work shall begin on or before.....N/A

Proof of commencement of work shall be filed before.....N/A

Work must be prosecuted with reasonable diligence and be completed on or before.....October 14, 1986

Proof of completion of work shall be filed before.....November 14, 1986

Application of water to beneficial use shall be made on or before.....October 14, 1990

Proof of the application of water to beneficial use shall be filed on or before.....November 14, 1990

Map in support of proof of beneficial use shall be filed on or before.....November 14, 1990

Commencement of work filed..... IN TESTIMONY WHEREOF, I.....PETER G. MORROS
Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed..... my office, this 14th day of OCTOBER

Cultural map filed APR 1 1988 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT D 10 83
Peter G. Morros
STATE ENGINEER

State Engineer

Can be recorded 5-19-88